

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	:
SECURITIES INVESTOR PROTECTION	:
CORPORATION,	:
	:
Trustee-Applicant,	: Adv. Pro. No. 08-01789 (BRL)
	:
v.	: SIPA Liquidation
	:
BERNARD L. MADOFF INVESTMENT	: (Substantively Consolidated)
SECURITIES LLC,	:
	:
Defendant.	:
	:
In re:	:
	:
BERNARD L. MADOFF,	:
	:
Debtor.	:
-----	<b>x</b>
	:
IRVING H. PICARD, Trustee for the Liquidation	:
of Bernard L. Madoff Investment Securities LLC,	:
	:
Plaintiff,	: Adv. Pro. No. 10-05353 (BRL)
	:
v.	:
	:
NATIXIS, NATIXIS CORPORATE &	:
INVESTMENT BANK (f/k/a IXIS	:
CORPORATE & INVESTMENT BANK),	:
NATIXIS FINANCIAL PRODUCTS, INC.,	:
BLOOM ASSET HOLDINGS FUND, and	:
TENSYR LIMITED,	:
	:
Defendants.	:
-----	<b>x</b>

**DECLARATION OF JESSICA R. SIMONOFF IN SUPPORT OF  
TENSYR LIMITED'S MOTION TO DISMISS THE TRUSTEE'S COMPLAINT  
OR IN THE ALTERNATIVE TO STAY THE ACTION**

Pursuant to 28 U.S.C. § 1746, I, Jessica R. Simonoff, declare the following:

1. I am an attorney employed by the firm of Freshfields Bruckhaus Deringer US LLP. I submit this declaration in support of Tensyr Limited's Motion to Dismiss the Trustee's Complaint or in the Alternative to Stay the Action filed in Adversary Proceeding Number 10-05353 (BRL) [Docket No. 1]. I have personal knowledge of the matters set forth herein, and if called as a witness, I could and would testify competently thereto.
2. On behalf of Tensyr Limited, I have attached as Exhibit A to this declaration a true and correct copy of the Transcript of Hearing before the Honorable Judge Alvin K. Hellerstein in the matter of *Enron Creditors Recovery Corp. v. Int'l Fin. Corp.*, Index Number 07-CV-6597 (AKH) dated April 16, 2008.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
September 1, 2011

By: /s/ Jessica R. Simonoff  
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